

IC 31-16-20

Chapter 20. Transfer of Jurisdiction Over Support Orders

IC 31-16-20-1

Application of chapter

Sec. 1. This chapter applies whenever:

(1) there is pending in an Indiana court an order requiring a parent to make regular payments for the support of the parent's children:

(A) subsequent to the dissolution of the marriage of the parents of the children;

(B) as a result of a paternity action under IC 31-14 (or IC 31-6-6.1 before its repeal);

(C) as a result of a legal separation action under IC 31-15-3; or

(D) as a result of a child support action under IC 31-16-2; and

(2) it is shown to the court in which the order is pending that:

(A) the parent or other person rightfully having custody of the children is residing in a different county in Indiana from the county in which the:

(i) dissolution;

(ii) order under IC 31-14 (or IC 31-6-6.1 before its repeal);

(iii) order under IC 31-15-3; or

(iv) order under IC 31-16-2;

was obtained;

(B) the other parent of the children:

(i) no longer resides; or

(ii) is not regularly found;

in the county in which the dissolution, order under IC 31-14 (or IC 31-6-6.1 before its repeal), order under IC 31-15-3, or order under IC 31-16-2 was obtained; and

(C) it would be in the best interests of the children.

As added by P.L.1-1997, SEC.8. Amended by P.L.197-1997, SEC.12.

IC 31-16-20-2

Order of transfer of proceedings

Sec. 2. The court may order the proceedings with:

(1) all papers and files pertaining to the order for support; and

(2) certified copies of all orders for support;

transferred to the court having jurisdiction over such matters in the county in which the parent or other person having custody of the children is residing.

As added by P.L.1-1997, SEC.8.

IC 31-16-20-3

Acceptance of proceedings by transferee court

Sec. 3. The court to which the proceedings are transferred:

(1) shall accept the proceedings; and

(2) thereafter has jurisdiction over the children and matters

relating to their support by the parent so ordered.
As added by P.L.1-1997, SEC.8.

IC 31-16-20-4

Docket; civil costs fee

Sec. 4. The proceedings that are transferred shall be docketed as other civil matters are docketed, and a civil costs fee as provided in IC 33-19-5-4 shall be collected.

As added by P.L.1-1997, SEC.8.

IC 31-16-20-5

Hearing requirement; contents of petition; notice

Sec. 5. (a) Except as provided in section 6 of this chapter, the order for the transfer of the proceedings may be made only after a hearing is held on a petition filed by or on behalf of the parent or other person having custody of the children.

(b) The petition must:

(1) set forth:

(A) the facts upon which the petition is based; and

(B) the reasons for requesting the transfer of the proceedings; and

(2) be verified.

(c) Notice shall be issued on the petition to the other parent notifying the other parent of:

(1) the pendency of the petition; and

(2) the time and place where the hearing will be heard.

(d) The hearing court shall:

(1) advance the hearing on the docket; and

(2) promptly hold the hearing.

As added by P.L.1-1997, SEC.8.

IC 31-16-20-6

Transfer without notice and hearing

Sec. 6. A court may enter an order for transfer of the proceedings without notice and a hearing if the petition required under section 5 of this chapter is:

(1) a joint petition; and

(2) filed on behalf of and verified by:

(A) the custodial parent or a person having custody of the children; and

(B) the noncustodial parent.

As added by P.L.1-1997, SEC.8.

IC 31-16-20-7

Application of chapter; multiple transfers

Sec. 7. (a) This chapter applies to proceedings pending in:

(1) the court in which the dissolution was obtained; or

(2) any other court to which the proceedings have been transferred.

(b) Any number of transfers may be made, as the best interests of

the children require.

As added by P.L.1-1997, SEC.8.